DRN-5712529

Financial Ombudsman Service

The complaint

Mrs M complains that Revolut Ltd won't refund payments she made as part of a scam.

What happened

Mrs M was the victim of an investment scam. This involved the following payments from her newly opened Revolut account, which was topped up with money from her Nationwide account:

Reference	Date	Description
-	13 September to 5 October 2022	11 payments ranging from £100.00 to £6,300.00 were made and reversed to Skrill.
Payment 1	7 October 2022	£4,300.00 card payment to Binance
Payment 2	19 December 2022	£5,000.00 card payment to Binance
Payment 3	19 December 2022	£2,882.00 card payment to Binance
Payment 4	19 January 2023	£5,000.00 card payment to Binance
Payment 5	19 January 2023	£3,000.00 card payment to Binance
Payment 6	30 January 2023	£5,000.00 card payment to Binance
Payment 7	13 February 2023	£5,000.00 card payment to Binance
Payment 8	13 February 2023	£5,000.00 card payment to Binance
Payment 9	13 February 2023	£3,000.00 card payment to Binance
Payment 10	10 March 2023	£5,000.00 card payment Binance
Payment 11	10 March 2023	£1,500.00 card payment to Binance
Payment 12	20 April 2023	£5,000.00 card payment to Binance
Payment 13	20 April 2023	£4,000.00 card payment to Binance

In summary, Mrs M explained she came across a company that I'll call 'S' on social media. Further to her enquiries, she heard from an 'investment broker' in May 2022, that I'll refer to as M, who persuaded her to invest.

To do this, Mrs M initially transferred amounts from her Nationwide account to a cryptocurrency exchange. From there, the funds were exchanged and sent to S's cryptocurrency wallet, which Mrs M believed was connected to its 'investment platform'. In fact, the funds simply went to fraudsters – the investment and the platform were fake.

Nationwide's records indicate that it spoke to Mrs M about the payments she made in July and August 2022. Its records of the calls suggest that while Mrs M initially said there wasn't anyone else involved, she later told them about the circumstances of the investment and S and M's involvement. Nationwide replied that this sounded like a scam and placed restrictions on her account.

Following this, Mrs M opened an account with Revolut and moved money from her Nationwide account to Revolut and continued to invest.

Revolut intervened twice when she attempted to make payments to Skrill, a cryptocurrency platform, in September 2022 by asking her what the payment was for from a list of options.

When she selected ‘safe account transfer’ for one and ‘investment’ for another, she was shown information relating to these scams. On both occasions, Mrs M said she still wanted to go ahead with the payment. However, these were ultimately reversed, seemingly for issues connected to the merchant.

Given the issues she experienced with Skrill, Mrs M instead made card payments to Binance. By mid-December 2022, Mrs M wanted to withdraw what she had made and was told she’d have to pay upfront fees to access her funds, which she agreed to. Nationwide again spoke to Mrs M in branch about the payment on 19 December 2022 to top up her Revolut account – its notes suggest she remained adamant that the investment was legitimate.

Despite paying, Mrs M still couldn’t withdraw her money and M continued to insist she’d need to pay more in various fees to access what she’d earned. Mrs M continued to do this until M became unresponsive and she realised she’d been scammed.

To fund the payments she made to S, Mrs M borrowed money – from lenders and family. To secure the loans, she’s recalled she told lenders the money was for DIY or an upcoming holiday.

Mrs M disputed the payments she made towards the scam with Revolut, who declined to refund her and her subsequent complaint. In summary, it said it’s not at fault for making the payments she authorised; it provided sufficient warnings; and it didn’t have grounds to say the payments were suspicious.

Unhappy with its response, Mrs M brought her concerns to our service to investigate. I issued provisional findings which didn’t uphold the complaint. Revolut didn’t reply by the deadline. Mrs M didn’t accept what I said, but didn’t offer further arguments or evidence.

What I’ve decided – and why

I’ve considered all the available evidence and arguments to decide what’s fair and reasonable in the circumstances of this complaint.

As neither side has added anything further in response to my provisional decision, I see no reason to change my mind. For completeness, I’ve included my reasons again below.

I’m minded not to uphold the complaint for these reasons:

- The starting position in law is that Revolut has a duty to make the payments Mrs M tells it to. And that Mrs M is responsible for payments she made.

- But, as supported by the terms of the account, that doesn’t preclude Revolut from making fraud checks before making a payment. And, taking into account regulatory expectations and good industry practice, I’m satisfied that it should fairly and reasonably have done this in some circumstances.

- Here, I think the circumstances suggested Mrs M was at risk of financial harm from fraud. And I think the risk was such that Revolut ought to have spoken with Mrs M to establish why she making these payments – for example, by directing her to speak with an agent via its in-app chat facility.

- But, it’s not enough for me to determine that Revolut ought to have done more here. I must also be persuaded that it was this error, in not reaching out to Mrs M to discuss the payments, that caused her losses.

- Of course, I can't say for certain how Mrs M would've responded, had Revolut asked open and proving questions and provided appropriate warnings about the payments. But civil disputes like these are only ever decided on the balance of probabilities. In other words, what I think is *more likely than not* to have happened.

- Having considered the evidence carefully, I'm not persuaded that Revolut's intervention would've changed Mrs M's mind about making these payments as part of the scam. I've noted:

    - Nationwide previously stopped payments towards this scam in July 2022, and its records suggest its agents told her several times that they were concerned she was falling victim to an investment scam. The notes left from its discussion with her state she was told that third parties involved in cryptocurrencies are typically fraudsters and, further to its request for evidence, that there wasn't anything to support M and S's legitimacy.

    - Despite this, Mrs M continued to make the payments, seemingly working around Nationwide's concerns by sending money to her Revolut account first. Indeed, her resolve around the matter was such that she raised a complaint about Nationwide's restrictions on her account.

    - It appears Nationwide questioned her in December 2022 too – this time about the payments she was making to her Revolut account. But again, Mrs M continued, despite the circumstances becoming arguably more alarming as she was asked to pay significant amounts to access her 'profits'.

    - Generally, I've noted that the fraudster, M, had built a strong relationship with Mrs M, and had convinced her to go to great lengths to invest, including misleading firms about the purposes of loans, and concealing what was happening from those close to her. On this point, I note that Mrs M's relationship with M only ended when he became unresponsive.

- Taking this all into account, I find it more likely that, had Revolut questioned and warned her appropriately, Mrs M would've continued to have been convinced by M into making the payments, in the same way she wasn't deterred by Nationwide's warnings.

- To be clear, this isn't to blame Mrs M. She was clearly the victim of an organised, sophisticated, and frankly cruel scam at a vulnerable stage of her life. But for me to tell Revolut to refund these losses, I must find that she lost out because of Revolut's mistake. And here, such was the spell M and S had cast over her, I think the scam would've continued regardless.

- I realise this will be very upsetting news for Mrs M. But for the reasons I've explained, I don't plan to uphold her complaint against Revolut.

My final decision

For the reasons I've explained, I don't uphold Mrs M's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs M to accept or reject my decision before 21 August 2025.

Emma Szkolar
Ombudsman